

ecoNews — Wire —

IOWA DEPARTMENT OF NATURAL RESOURCES

January 13, 2005

For immediate release

- 1. Presentations on nitrogen, beverage redemption are highlights of EPC meeting**
- 2. Public comment sought for water quality plans for Iowa lakes and streams**
- 3. Master matrix for siting animal confinements adopted by 41 Iowa counties**
- 4. Prohibited wastewater discharge enters Lake Macbride**
- 5. DNR enforcement actions**

PRESENTATIONS ON NITROGEN, BEVERAGE REDEMPTION ARE HIGHLIGHTS OF EPC MEETING

DES MOINES -- Commissioners will hear presentations on the “bottle bill” and nitrogen management at the Jan. 18, 2005, meeting of the Environmental Protection Commission.

Commissioners will be updated on details of how the Beverage Containers Control Act works, including the redemption center approval process.

An Iowa State University professor, Dr. Alfred Blackmer, will discuss nitrogen management at 11 a.m.

Because of a federal holiday, the EPC will meet on Tuesday, at 10 a.m., at the DNR office, 7900 Hickman Road in Urbandale. Public participation is scheduled for 10:30 a.m. The meeting is open to the public.

The complete agenda follows:

- Approval of Agenda
- Approval of Minutes
- Director's Remarks
- Final Rule - Amendment to Chapter 65.17 - Incorporating the Phosphorus Index into Manure Management Plans
- Renewable Energy Program Contract – Tall Towers Grant
- Proposed Rule – Revision of IAC 567-Chapter 101; “Solid Waste Comprehensive Planning Requirements”

- Beverage Containers Control Act
- Contract - University Hygienic Laboratory – 2004 Cooperative Groundwater Network.
- Contract – Williams and Company, CPA, P.C.
- Notice of Intended Action - Chapter 53: Protected Water Source
- Clean Water State Revolving Loan Fund – 2005 Intended Use Plan Third Quarter Update
- Notice of Intended Action - Major New Source Review Rules: Chapters 20, 22, 31 and 33
- Proposed Rule - Air Quality Program Rules Chapters 20, 21, 22, 23 and 25, Updates, Revisions, and Additions
- Proposed Contested Case Decision – Crest Country Inn
- Monthly Reports
- General Discussion
- Items for next month's meeting

More information about the agenda items can be found on the DNR Web site under Commissions and Boards at www.iowadnr.com. More information about Dr. Blackmer can be found at <http://www.agron.iastate.edu/personnel/userspage.aspx?id=18>.

The members of the commission are Darrell Hanson, chair, Manchester; Kathryn Murphy, LeMars; Terrance Townsend, Newton; Lisa Davis-Cook, West Des Moines; Lori Glanzman, Mt. Pleasant; Jerry Peckum, Jefferson; Heidi Vittetoe, Washington; Francis Thicke, Fairfield; and Donna Buell, Spirit Lake. The director of the DNR is Jeff Vonk.

For more information, contact Karen Grimes, at (515) 281-5135.

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PUBLIC COMMENT SOUGHT FOR WATER QUALITY PLANS FOR IOWA LAKES AND STREAMS

DES MOINES — Plans for improving water quality at several Iowa lakes and streams will be discussed at public meetings during the week of Jan. 17. The meetings will be held as follows:

- Clear Lake, Cerro Gordo County
Jan. 19, 6:00 p.m.
Lakeview Community Room at City Park, Clear Lake
- Milford Creek, Dickinson County
Jan. 19, 6:30 p.m.

Iowa Great Lakes Maritime Museum, Arnolds Park

- Pierce Creek Lake, Page County
Jan. 20, 1:00 p.m.
Page County Courthouse, Clarinda
- Lake Macbride, Johnson County
Jan. 20, 5:30 p.m.
Solon City Council Meeting, Solon Library
- Little Floyd River, O'Brien County
Jan. 21, 11:00 a.m.
Northwest Iowa Community College, Building A, Room 116/119, Sheldon

Draft TMDLs — or Total Maximum Daily Loads — have been developed for these waterbodies. TMDLs are calculations used to determine how much of a pollutant a water body can receive and still maintain its designated use, such as maintaining aquatic life, allowing body contact such as swimming or being used as a drinking water supply.

TMDLs also include plans on how water quality can be improved through conservation efforts in the respective watersheds. After receiving public comments, the TMDL will be forwarded to the U.S. Environmental Protection Agency for final approval.

The draft TMDLs can be obtained and comments can be made using the following sources:

- Internet: www.iowadnr.com/water/tmdlwqa/tmdl/publicnotice.html
- E-mail: danelle.haake@dnr.state.ia.us
- Telephone: Danelle Haake at (515) 281-6064
- Mail: Danelle Haake, care of Iowa DNR, Wallace State Office Building, Des Moines, Iowa 50319

For more information, contact Danelle Haake at (515) 281-6064 or Chris Van Gorp at (515) 281-4791.

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MASTER MATRIX FOR SITING ANIMAL CONFINEMENTS ADOPTED BY 41 IOWA COUNTIES

DES MOINES – Nearly half of Iowa counties have formally adopted a resolution to use the master matrix in evaluating the proposed sites of animal confinements.

Counties have until Jan. 31 to adopt the resolutions and submit them to the DNR for use during 2005 and January of 2006.

“The master matrix provides a way for counties to evaluate the potential environmental and social impacts of confinement operations that need a construction permit,” said Gene Tinker, coordinator of DNR’s animal feeding operations.

Producers in participating counties must meet more stringent requirements than state law normally requires of the confinement feeding operations that need a construction permit.

The 41 counties that had filed the resolutions with the DNR by Jan. 11, 2005, include: Adams, Benton, Black Hawk, Boone, Bremer, Buchanan, Butler, Calhoun, Carroll, Cedar, Clinton, Delaware, Dickinson, Emmet, Fayette, Franklin, Hamilton, Hancock, Hardin, Harrison, Howard, Ida, Jackson, Jones, Madison, Marion, Monona, Monroe, O'Brien, Osceola, Page, Palo Alto, Poweshiek, Ringgold, Sioux, Tama, Union, Van Buren, Wayne, Webster and Worth.

A map of the participating counties and more information can be found on the DNR Web site at <http://www.iowadnr.com/afo/matrix.html>.

For more information, contact Gene Tinker at 515-281-31303 or Tammie Krausman at 515-281-8382.

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PROHIBITED WASTEWATER DISCHARGE ENTERS LAKE MACBRIDE

SOLON — An electrical equipment failure early Tuesday morning at a housing development’s wastewater treatment facility has caused an ongoing discharge of treated wastewater to Lake Macbride.

Lift station pumps at the Cottage Reserve wastewater facility shut down due to the equipment failure, sending treated wastewater to the lake.

Repairs are not expected to be completed until Friday. By Friday afternoon, an estimated total of 20,000 gallons of treated wastewater will have reached the lake.

While the incident is not considered a wastewater bypass because the sewage has been treated, it is still considered a prohibited discharge. Iowa law states that a pollutant, whether treated or untreated, shall not be discharged into any state-owned lake.

The facility will be issued a notice of violation and the DNR will require the facility to create a plan to prevent future discharges to the lake.

For more information, contact Jim Sievers at (319) 653-2135.

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DNR ENFORCEMENT ACTIONS

DES MOINES — The DNR took the following enforcement actions between October and December 2004, unless otherwise noted. Responsible parties have 30 days to appeal the charges or 60 days to pay the penalty. The following are only briefs; please contact Jessie Rolph of the DNR for more information at (515) 281-5131.

- Jerome Loutsch, dba J & L Excavating, of Hinton, was ordered to cease open burning and pay a \$1,000 penalty. The order is in regard to the open burning of rubber tires on a site in Plymouth County, which produced large volumes of black smoke and other pollutants.
- Wayne Staab, of Remsen, was ordered to cease open burning and pay a \$1,000 penalty. The order is in regard to the open burning of rubber tires on a site in Plymouth County, which produced large volumes of black smoke and other pollutants. The order has been appealed.
- The City of Lawler was ordered to implement wastewater facility improvements according to a specific schedule, to maintain the facility in good working order, to operate the facility as efficiently as possible and to pay a \$3,000 penalty.
- Craig Faber, dba C & C Feedlot, of Rock Valley, was ordered to submit a complete manure management plan (MMP) and pay a \$1,500 penalty. The order is in regard to failure to submit an MMP for a site in Lyon County.
- Tom Erickson, of Elgin, was ordered to submit a complete manure management plan (MMP) and fees, and to pay a \$3,000 penalty. The order is in regard to failure to submit an MMP for a site in Clayton County.
- Guthrie County Rural Electric Cooperative Association, of Guthrie Center; Progressive Developments, Inc., of Des Moines; and Lake Panorama Association, of Jefferson, were ordered to cease open burning of plastic fertilizer sacks and other solid waste, and to pay a \$500 penalty. The order is in regard to the open burning of plastic fertilizer sacks at the Lake Panorama National Resort in Panora, which produced large volumes of black smoke and other air pollutants. The penalty has been paid.
- Paul Rehder, of Granville, was ordered to submit a complete manure management plan (MMP) and fee, and to pay a \$3,000 penalty. The order is in regard to failure to submit an MMP for a site in O'Brien County. The order has been appealed.
- Dean Paustian, of Dixon, was ordered to submit a manure management plan (MMP) update on DNR forms and fees, and to pay a \$750 penalty. The order is in regard to failure to submit an MMP update on proper forms and failure to submit an annual compliance fee for a site in Scott County.

- Matt Gehling, of Carroll, was ordered to pay a \$1,500 penalty. The order is in regard to removing manure from a manure storage facility without having an approved manure management plan (MMP). Gehling has since submitted an MMP for the site, located in Carroll County. The order has been appealed.
- E & N Farms, LTD, of Rock Rapids, was ordered to submit a complete manure management plan (MMP) and fee, and to pay a \$3,000 penalty. The order is in regard to failure to submit an MMP for a site in Lyon County. The order has been appealed.
- Harold Traver, Jr., of Lewis, was ordered to cease the illegal disposal of solid waste, properly dispose of all solid waste from the property, submit documentation of proper disposal and pay a \$3,000 penalty. The order is in regard to the illegal disposal of miscellaneous solid waste, including appliances, scrap metal, asphalt shingles and furniture, at a site in Cass County. The order has been appealed.
- The City of Pleasant Hill was ordered to pay a \$10,000 penalty. The order is in regard to failure to obtain a wastewater construction permit and storm water general permit authorization prior to construction.
- S.J. Louis Construction, Inc., of Des Moines, was ordered to pay a \$5,000 penalty. The order is in regard to failure to obtain a wastewater construction permit and storm water general permit authorization prior to construction of a project for the City of Pleasant Hill. The order has been appealed.
- N.O.O. Investment Company, Inc., of Clear Lake, and Valley Country Café, of Cass County, were ordered to sample Valley Country Café's public water supply for bacteria at least once per quarter and to perform required follow-up sampling; to sample for nitrate at least once per quarter; provide public notice as required; and to properly operate and maintain continuous disinfection facilities and submit monthly operating reports. N.O.O. and Valley Country Café were also ordered to hire a certified water supply operator, submit a viability assessment and pay a \$5,000 penalty.
- In an amended administrative order, the City of Harlan was ordered to complete facility upgrades to eliminate hydraulic overloading at the city's wastewater treatment facility in accordance with a compliance schedule, and to operate all facilities and control systems as efficiently as possible and maintain them in good working order to achieve optimum effluent quality until final facilities are constructed.

For more information, contact Jessie Rolph at (515) 281-5131 or Jessie.Rolph@dnr.state.ia.us.